**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT :**

**THE HONOURABLE MR. JUSTICE KURIAN JOSEPH**
**&**
**THE HONOURABLE MR. JUSTICE HARUN-UL-RASHID**

**MONDAY, THE 12TH NOVEMBER 2007 / 21ST KARTHIKA 1929**

**LA.App. No. 1491 of 2007**
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**LAR.239/1997 of ADDL.SUB COURT,KOLLAM**
**.....**

**APPELLANT/RESPONDENT IN LAR:**
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**STATE OF KERALA, REP. BY THE**
**SPECIAL TAHSILDAR, NATIONAL HIGHWAY, KOLLAM.**

**BY GOVERNMENT PLEADER SMT. K.R. DEEPA.**

**RESPONDENTS/ CLAIMANTS IN LAR:**
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**KUNJUPILLAI AMMA THANKAMMAYAMMA,**
**KOCHUKAYUTHENGIL VEETTIL, MANGAD CHERI,**
**MANGAD VILLAGE, REP. BY POWER OF ATTORNEY HOLDER,**
**SIVASANKARA PILLAI, KOCHUKAYUTHENGIL VEETTIL,**
**MANGAD CHERI, MANGAD VILLAGE.**

**THIS LAND ACQUISITION APPEAL HAVING BEEN FINALLY HEARD ON 12/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

**KURIAN JOSEPH & HARUN-UL-RASHID, JJ.**

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**L.A.A. NO. 1491 OF 2007**

**&**

**C.M. Appln. No. 1766 OF 2007**

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**Dated this the 12th day of November, 2007.**

**J U D G M E N T**

**Kurian Joseph, J.**

**C.M. Appln. No. 1766/2007**

This is a petition to condone the delay of 618 days in filing the appeal. On merits it is seen that the appeal is filed against the judgment and decree in L.A.R. No. 239/1997 on the file of the Additional Sub Court, Kollam. The total extent involved in the case is only 2.05 Ares of land in Mangadu village, Kollam Taluk. Acquisition is for the purpose of National Highway.

2. The Land Acquisition Officer fixed the land value at the rate of Rs. 1,042/- per Are and the reference court enhanced the value at the rate of Rs. 2,500/- per Are. It is seen that such fixation is made based on the evidence adduced by PW1 and taking note of the importance of the locality. There is no contra evidence.

In that view of the matter, we do not think it necessary to consider the matter on merits. Therefore, the application for condonation of delay and the appeal are dismissed.

**KURIAN JOSEPH**
**JUDGE**

**HARUN-UL-RASHID**
**JUDGE**

smp